

REMARKS/ARGUMENTS

Claims 1-10 were examined, with claims 11-16 having been withdrawn pursuant to a Restriction Requirement. The claims have been amended and canceled as noted above. Reexamination and reconsideration of the claims, as amended, are respectfully requested.

Applicants affirm their election of claims 1-10 and have canceled all non-elected claims in the present amendment.

Applicants note the objection to claim 1 and have amended claim 1 to clarify that it is the "movement of the magnetic devices" which in fact partially constricts the lumen.

The claim rejections for indefiniteness have been overcome as follows. Claim 1 has been amended to clarify that it is the "movement of the magnetic devices due to their attraction" which constricts the lumen. Each of claims 1, 2, 6, and 8-10 has been amended to refer to the "magnetic or magnetizable devices" to conform with the antecedent basis in claim 1. Each of claims 6, 8, and 9 have been amended to refer to the body lumen, rather than to the esophagus. Reference to the esophagus is now set forth in new dependent claim 17. Claim 4 (as now incorporated in claim 1) has been corrected to clarify that the location at which the pressure is sensed is the location of the pressure sensing device. With these changes, it is believed that all claims are now definite within the requirements of 35 U.S.C. §112.

With respect to the substantive rejections, Applicants note that the limitations of allowable dependent claims 3 and 4 have now been incorporated into independent claim 1. As independent claim 1 is the only independent claim remaining in the application, it is believed that claim 1 as well as all claims depending thereon are now in condition for allowance and request that the application be passed to issue at an early date.

CONCLUSION

If for any reason the Examiner believes that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 650-326-2400.

Respectfully submitted,

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